

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INTREPID FINANCIAL PARTNERS, LLC,

Plaintiff,

-v-

No. 20 CV 9779-LTS

ANTONIO C. FERNANDEZ,

Defendant.

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ORDER

The Court has received the Defendant's request to seal certain documents filed in connection with its motion to dismiss and opposition to the Plaintiff's motion for a preliminary injunction. (See docket entry no. 74.) The Defendant is seeking to seal excerpts from deposition testimony on the basis that such testimony contains non-public confidential information. The Defendant's justification does not sufficiently present a basis upon which the Court can determine whether the relevant legal standards are sufficiently narrowly tailored. See, e.g., Lugosch v. Pyramid Co. of Onodanga, 435 F.3d 110, 119-20 (2d Cir. 2006). The Defendant is directed to file under seal the exhibits containing excerpts from the deposition testimonies of Messrs. Fernandez and Trauber with proposed highlighted redactions for the Court's review and approval, along with more detailed information justifying the proposed redactions.

With regard to the Defendant's request to seal excerpts from the testimony of Messrs. Winchenbaugh and McGee, the Plaintiff is hereby directed to file under seal the deposition excerpts with proposed highlighted redactions for the Court's review and approval, along with its justification for the proposed redactions, in accordance with the Court's Individual

Rule of Practice 5(b)(ii). The parties must file their proposed redactions and justifications by Tuesday December 29, 2020.

The Court has also received the Plaintiff's request to seal certain documents filed in connection with its reply papers in support of its motion for preliminary injunction. (See docket entry no. 79, the "Plaintiff's Request".) For the reasons stated in the Plaintiff's Request, the Plaintiff's redaction requests are granted with the exception of the request to redact and seal the material highlighted in paragraph 22 in docket entry number 82. Plaintiff shall re-file a public version of docket entry no. 82, with the redactions in paragraph 22 removed.

The Clerk of Court is respectfully directed to restrict access to Docket Entry Nos. 80, 81, and 82 to the parties (plaintiff and defendant) only.

This Order resolves docket entry no. 79.

SO ORDERED.

Dated: New York, New York
December 23, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge